

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

LAQUITA OLIVER and CHERELLE
JACOB, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

NAVY FEDERAL CREDIT UNION,

Defendant.

Case No. 23-cv-01731 (LMB) (WEF)

KRISTOFFER HICKS and MASHEESHA
HOPPER, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

NAVY FEDERAL CREDIT UNION and
JOHN DOES 1-20,

Defendants.

Case No. 23-cv-01798 (LMB) (WEF)

**DEFENDANT NAVY FEDERAL CREDIT UNION'S
RESPONSE TO PLAINTIFFS' MOTION TO CONSOLIDATE
ACTIONS AND APPOINT INTERIM CLASS COUNSEL**

Navy Federal Credit Union ("Navy Federal") submits this response to Plaintiffs' Motion to Consolidate *Oliver et al., v. Navy Federal Credit Union*, 23-cv-01731 ("*Oliver Action*") and *Hicks et al., v. Navy Federal Credit Union, et al.*, 23-cv-01798 ("*Hicks Action*"), and appointment of Adam J. Levitt of DiCello Levitt LLP, Ben Crump of Ben Crump Law PLLC, and Hassan Zavareei of Tycko & Zavareei LLP as interim class counsel on behalf of the putative class. *See* Motion 1, *Oliver et al. v. Navy Federal Credit Union*, No. 1:23-cv-01731-LMB-WEF (E.D. Va. December 29, 2023), ECF No. 9.

Navy Federal does not oppose consolidation of the *Oliver* and *Hicks* Actions and takes no position on the appointment of interim class counsel.

Navy Federal joins Plaintiffs' request that all response deadlines in the *Oliver* and *Hicks* Actions be held in abeyance pending the resolution of the Motion, and that Navy Federal's response deadline be extended until 30 days after the filing of a consolidated complaint, except as noted below. Mem. Supp. Mot. 1, *Oliver et al. v. Navy Federal Credit Union*, No. 1:23-cv-01731-LMB-WEF (E.D. Va. December 29, 2023), ECF No. 10 at 11, fn. 4. The parties have conferred and agreed that to the extent that 30 days after the filing of the consolidated complaint is earlier than March 4, 2024 (the current response deadline in the *Hicks* action), the response deadline should be set for March 4, 2024.

Dated: January 12, 2024

Respectfully submitted,

/s/ Michaela Wilkes Klein

Ronald C. Machen (*pro hac vice pending*)

Jonathan E. Paikin (*pro hac vice pending*)

Karin Dryhurst (*pro hac vice pending*)

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Counsel for Defendant Navy Federal Credit Union

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2024, I caused the foregoing to be filed electronically with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record.

Dated: January 12, 2024

Respectfully Submitted,

/s/ Michaela Wilkes Klein

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